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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/612,136	07/07/2000	Tohru Nagano	JA999-118X	8446
33360	7590	12/31/2003	EXAMINER	
MARK D. MCSWAIN IBM ALMADEN RESEARCH CENTER, IP LAW DEPT. 650 HARRY ROAD CHTA/J2B SAN JOSE, CA 95120			EDOUARD, PATRICK NESTOR	
			ART UNIT	PAPER NUMBER
			2654	
			DATE MAILED: 12/31/2003	

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/612,136

Applicant(s)

NAGANO ET AL

Examiner

Patrick N. Edouard

Art Unit

2654



— The MAILING DATE of this communication appears on the cover sheet with the correspondence address —

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on May 26, 2003
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other:

Art Unit: 2654

DETAILED ACTION

1. This Office Action is in response to communication filed 5/6/03 (paper #6). Claims 1-6 are pending.

Response to Arguments

2. Applicant's arguments with respect to claims 1-6 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-2 and 5-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Register ~~et~~ al (5,371,807).

As per claims 1, 5 and 6, Register et al teach a data analyzing system for extracting characteristic concepts from data without requiring a query comprising:

Art Unit: 2654

“ means for extracting categorized concepts from text data, wherein a categorized concept comprises a key word and a category of the key word” (figure 3, his natural language module 32 and his lexicon of Keywords, phrases and regular expressions 52, col. 6, lines 36 56).

“ means for extracting unique concepts from said extracted categorized concepts, wherein said unique concepts are those extracted categorized concepts which occur conspicuously more frequently within their respective categories than statistically expected ”(figure 3, his category disambiguation 38 and his category selection rule base 58, col. Col. 10, lines 44 to col. 15, line 59).

As per claim 2, Register et al teach wherein said means for extracting categorized concepts comprises means for:

“ morphologically analyzing said text data” figure 3, his natural language module 32 and his lexicon of key words 52, col. Col. 6, lines 35-56, col. 13, lines 3-25);

‘Based on the results of said morphological analysis , generating clauses of said text data”(figure 3, his recognized keywords, col. Col. 4, lines 54-66);

“Extracting key words in said clause as concepts and applying a category dictionary to said clause to assign a category to each said key word therein” (figure 3, his intelligent inferencer module 34 and his key word class hierarchy and associated facts 54, col. 5, lines 9 -32);

“Analyzing the syntax of sentence comprising said clauses according to a syntactic tree generation rules” (col. 13, lines 14-27);

Art Unit: 2654

“ regarding the key words in said clause to which category was assigned, extracting mutually dependent relationship of the key words in the same sentence”(col. 13, lines 30 to col. 15, line 40 and his similarity measuring module 36 and keyword category profiles 56, col. Col. 5, lines 34-60) ; and

“Extracting said categorized concepts on said mutually dependent relationship among the key words, and extracting combinations of the categories of the concepts in mutually dependent relationship” (figure 3, his category disambiguation 38 and his category selection rule base 58, col. 5, lines 62 to col. 6, line 9).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Register et al (5,371,807) in view of Kiuchi (5,644,740).

It is noted that Register et al teach the claimed invention but does not explicitly teach receiving an instructions from the user , analyzing said instruction of a user and presenting said categorized concepts to display with an attribute different from any other concept of the concept belonging to the same category . However, these features are well known in the art as evidenced

Art Unit: 2654

by Kiuchi who teach a method of displaying a hierarchical tree of nodes classified based on a specified concept wherein concept or subconcept of the same category are displayed in a different color or by being framed at col. 20, lines 3-13. Therefore, one having ordinary skill in the art at the time the invention was made would have it obvious to organize and display the concepts of Register in a hierarchy as taught Kiuchi because it would allow user the capability of identifying the concepts using different color or by being frames.

As per claim 4, the combination of Register with Kiuchi teaches calculating the relative frequency of extracted concept (Register' similarity measuring module 36);

searching for categorized concept from a set of the extracted categorized concept (col. 5, lines 62 to col. 6, lines 9);

Calculating the frequency of categorized concept (col. 13, lines 15-30); and

'displaying relative frequency...that were acquired" * col. 14, line 65 to col. 15, line 35).

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO**

Art Unit: 2654

MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231 or faxed to:

(703) 308-9051, (for formal communications intended for entry) Or:

(703) 305-9508 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park 11, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patrick N. Edouard whose telephone number is (703) 308-6725. The examiner can normally be reached on Tuesday-Friday from 07:30 a.m.-6:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil, can be reached on (703) 305-9645.


Art Unit: 2654

The facsimile phone number for this Art Unit is (703) 305-9508. Alternatively, facsimile messages may be sent directly to (703) 305-9644 where they will be stored in the examiner's voice mailbox (telling the examiner that a fax was received) and be automatically printed (i.e. - no delay by the examiner).

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Patrick N. Edouard

November 3, 2003



PATRICK N. EDOUARD
PATENT EXAMINER